

AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
Southern District of TexasUnited States District Court  
Southern District of Texas  
FILED

AUG 31 2018

David J. Bradley, Clerk

United States of America )

v. )

Michael CURA Jr. )

YOB: 1992 )

U.S. Citizen )

Case No. *M-18-1816-M**Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 30, 2018 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 USC 922 (g)(1)

18 USC 922 (g)(1) - Unlawful to possess a firearm which has previously traveled in or affected interstate commerce, after having been convicted in a court of law of a felony crime punishable by imprisonment for a term exceeding one year.

This criminal complaint is based on these facts:

(See ATTACHMENT A as a continuation)

☒ Continued on the attached sheet.*approved by*  
*ATF**Complainant's signature*Jorge Olivarez - ATF Special Agent  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: August 31, 2018 8:57 am*Judge's signature*City and state: McAllen, TexasPeter E. Ormsby, U.S. Magistrate Judge  
*Printed name and title*

**ATTACHMENT A**

The facts establishing the foregoing issuance of an arrest warrant are based on the following:

I, Special Agent Jorge Olivarez, affiant, do hereby depose and state the following:

1. I am a Special Agent of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives. I have been a law enforcement officer since April 2006. My duties include the investigation of violations of the federal firearms laws. I know it to be unlawful for any person who has been convicted of a felony crime to receive or possess a firearm, which has traveled in or affected interstate or foreign commerce. This criminal complaint is based on the following facts:

2. On Thursday, August 30, 2018, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) was contacted by the Alamo, Texas Police Department (Alamo PD), who advised Michael CURA (hereinafter referred to as CURA), had been detained on State narcotic charges. Alamo PD Investigators advised ATF agents, they were conducting a narcotics investigation and CURA attempted to deliver narcotics to a Alamo PD cooperating defendant (CD) in the city of Alamo, Texas. Alamo PD Investigators advised they located and identified CURA as the driver of a 2015 Ford Fusion, displaying Texas license plates KST-1333.

3. Alamo PD Investigators advised CURA pulled into the parking lot at HEB in Alamo, Texas and parked. Alamo PD Investigators advised, as Alamo PD Officers approached CURA's vehicle in a marked police unit, CURA exited his vehicle and fled on foot. As CURA fled from officers, CURA dropped a Sig Sauer P229; .357 caliber pistol; serial number: AE44393. Alamo PD Investigators advised upon detaining CURA, CURA stated the firearm and narcotics belonged to him.

4. Your affiant conducted a criminal history check on CURA and learned that CURA has the following felony convictions:

- December 14, 2017, 139th District Court Edinburg; CR-3073-17-C Offense: Deadly Conduct Disch Firearm Indiv (s); 3rd Degree Felony.
- December 14, 2017, 139th District Court Edinburg; CR-3135-17-C Offense: Possession of Controlled Substance; State Jail Felony.
- May 1, 2014, 139th District Court Edinburg; CR-4577-13-C Offense: Evading Arrest Det W/Veh; 3rd Degree Felony.

5. Lastly, on August 30, 2018, an ATF agent trained in the Interstate Nexus of firearms and ammunition, examined the firearm and ammunition seized as part of this investigation. The ATF agent trained in the Interstate Nexus of firearms and ammunition concluded that the firearm and ammunition did in fact travel in and affect interstate or foreign commerce.